

**UNITED STATES DISTRICT COURT DISTRICT  
WESTERN DISTRICT OF MISSOURI**

Margaret Kennedy, Ron Tussey, and )  
Charles Fisher, as representatives of a class )  
of similarly situated persons, )  
**and on behalf of the PRISM Plan for** )  
**Represented Employees of ABB, Inc.** and )  
Timothy Herndron and Timothy Pinnell )  
as representatives of a class of )  
similarly situated persons, )  
**and on behalf of the PRISM Plan for** )  
**Employees of ABB, Inc.,** )  
Plaintiffs; )  
v. )  
ABB, Inc., John W. Cutler, Jr., Pension )  
Review Committee of ABB, Inc., Pension )  
& Thrift Management Group of ABB, Inc. )  
Employee Benefits Committee of ABB, )  
Inc., Fidelity Management Trust Company, )  
and Fidelity Management & Research )  
Company, )  
Defendants. )

No: 2:06-CV-04305 NKL

**NOTICE OF WITHDRAWAL**

Comes now Elizabeth J. Hubertz and gives notice of her withdrawal as co-counsel of record for Plaintiffs in the above-captioned case, as Ms. Hubertz has left the law firm of Schlichter, Bogard & Denton, effective December 14, 2007. Plaintiffs will continue to be represented by Jerome J. Schlichter, Daniel V. Conlisk, Troy A. Doles, Heather Lea , Mark Boyko, and the firm of Schlichter, Bogard & Denton.

Dated: December 14, 2007

Respectfully Submitted,

SCHLICHTER, BOGARD & DENTON

By: /s/ Elizabeth J. Hubertz

Elizabeth J. Hubertz (admitted *pro hac vice*)  
Jerome J. Schlichter, 32225  
Daniel V. Conlisk, 36544  
Troy A. Doles  
Heather Lea, 49872  
100 S. Fourth St., Suite 900  
St. Louis, Missouri 63102  
(314) 621-6115  
(314) 621-7151 (Fax)  
[dconlisk@uselaws.com](mailto:dconlisk@uselaws.com)  
[hlea@uselaws.com](mailto:hlea@uselaws.com)

ATTORNEYS FOR PLAINTIFFS/  
CLASS REPRESENTATIVES Ron Tussey,  
Charles Fisher, Timothy Herndron, and  
Timothy Pinnell

#### **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the foregoing was electronically filed on this 14<sup>th</sup> day of December and will be delivered electronically by the CM/ECF system to the following:

Thomas Wack  
Jeffrey S. Russell  
Bryan Cave, LLP  
One Metropolitan Square  
211 North Broadway, Suite 3600  
St. Louis, MO 63102  
Attorneys for Defendants

/s/ Elizabeth J. Hubertz  
Elizabeth J. Hubertz